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REPORT
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FEDERAL FIRE PREVENTION AND CONTROL ACT AUTHORIZATION, FISCAL YEAR 1986

MAY 21, 1985.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. FUQUA, from the Committee on Science and Technology, submitted the following

REPORT

[To accompany S. 818]

[Including cost estimate of the Congressional Budget Office]

The Committee on Science and Technology, to whom was referred the bill (S. 818) to authorize appropriations for activities under the Federal Fire Prevention and Control Act of 1974, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment (stated in terms of the page and line numbers of the introduced bill) is as follows:

Page 2, line 1, strike out "$22,036,000" and insert in lieu thereof "$22,953,000".

PURPOSE OF THE BILL

The purpose of the bill is to authorize appropriations to carry out the Federal Fire Prevention and Control Act of 1974 for fiscal year 1986 as follows:

FIRE PREVENTION AND CONTROL

Fiscal year:
1986 ..... $22,953,000

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I. BACKGROUND AND NEED

Federal Fire Prevention and Control Act of 1974

In 1973 the National Commission on Fire Prevention and Control released a comprehensive report on this Nation's fire problem, "America Burning." This historic report found that although fire prevention and control were primarily a local responsibility, the Federal Government had a significant role to play in meeting this national problem.

The Commission found that to the extent the Government was playing a role at all, it was fragmented among several Federal agencies. Consequently, the Commission recommended the establishment of the National Fire Prevention and Control Administration, a Federal agency where the Nation's fire problem would be viewed in its entirety.

Following this report, Congress passed the Federal Fire Prevention and Control Act of 1974, which established the U.S. Fire Administration [USFA]. Specifically set out as a part of the USFA was the National Fire Data Center and the National Fire Academy [NFA]. The legislation also provided for a fire research center at the National Bureau of Standards [NBS], which is authorized under a separate NBS authorization bill.

In 1978 Congress expanded the USFA's responsibilities to include coordinating Federal programs to combat arson. In 1979, the USFA was made part of the newly created Federal Emergency Management Agency [FEMA] under the President's Reorganization Plan No. 3. As part of FEMA, the USFA was given the responsibility to advise the FEMA Director on fire prevention, suppression, and hazard mitigation, and to serve as the lead Federal agency responsible for combating the fire problem. In 1981, the budget for the USFA and the NFA were separated. Currently, the USFA consists of four offices: Fire Policy and Coordination, Firefighter Health and Safety, Fire Prevention and Arson Control, and Fire Data and Analysis. The NFA provides training and outreach courses to firefighters and other members of the fire service community.

Each year, over 2.3 million destructive fires are attended by fire departments. Annually, more than 6,000 people, including over 100 fire fighters die as a result of fire, and over 100,000 people are injured each year. Roughly three-fourths of all fire deaths occur in residences. Six billion dollars worth of property go up in smoke each year. Consequently, as concluded in the report, "America

Burning", in 1973, the fire problem in this country is too large to be ignored and left to local fire fighters to battle alone. The USFA and NFA are working to help local firefighters reduce the substantial fire problem in this Nation.

II. SUMMARY OF COMMITTEE ACTIONS

Budget Total

The President's budget for fiscal year 1986 included a request for $19,322,000 in new obligational authority for the Federal Fire Prevention and Control Act. This represents a reduction of $3,631,000 from funds available in FY 1985 for these programs which total $22,953,000.

S. 818, as amended by the Committee, authorizes a total of $22,953,000, the same level of funding appropriated in FY 1985.

Purpose of the Bill

The purpose of the bill is to authorize appropriations for the Federal Fire Prevention and Control Act for fiscal year 1986 in the amount of $22,953,000 as follows:

Federal Fire Prevention and Control Act

Agency	*Authorization, fiscal year 1986*
U.S. Fire Administration	$9,736,000
National Fire Academy	13,217,000
Total	22,953,000

Comparison With Budget Request and Senate Action

Committee actions on funding for Federal Fire Prevention and Control programs compared to the President's budget request and Senate action are reflected in the table below:

Federal Fire Prevention and Control Act (S. 818) Budget Comparisons

[By fiscal years, in millions]

Agency	1985	1986 administration request [1]	Action by Senate, 1986	Committee recommendation, 1986
USFA	9.736	7.685	9.236	9.736
NFA	13.217	11.637	12.800	13.217
Total	22.953	19.322	22.036	22.953

[1] For fiscal year 1987, the administration request is "such sums as necessary."

III. COMMITTEE VIEWS

U.S. Fire Administration [USFA]

COMMITTEE VIEW

The U.S. Fire Administration [USFA] and National Fire Academy [NFA], located within the Federal Emergency Management Agency [FEMA], provide the major Federal effort in support of

local fire prevention and control efforts. In particular, these programs are aimed at helping to reduce the residential fire problem in this nation.

The Committee is very concerned about the procurement and management practices at the USFA. Congressional investigations, as well as a FEMA internal control review, of the contract and grant procurement activities of the Training and Fire Programs Directorate have revealed weaknesses in internal control, some of which are: a high percentage of contracts awarded on a noncompetitive basis and a high concentration of contracts awarded to a small number of groups. While the Committee does not criticize the integrity and intent of the fire service organizations that receive most of the sole source grants and contracts, the Committee feels that FEMA must comply with the appropriate provisions of the Competition in Contracting Act of 1984 when awarding any contracts on a non-competitive basis.

It has been interpreted by some that, part of the reasons for the procurement problems at the USFA can be attributed to a series of reorganizations at FEMA. Attempts at abolishment, total restaffing, and progressive reduction in its position and authority have also affected the USFA. These and other problems at the USFA were explored in a Congressional Research Service Report, entitled "Fire Prevention and Control: The Federal Role" (1985), which was prepared at the request of the Committee on Science and Technology. The report found that as a result of these problems at the USFA, key staff had resigned, including the technical in-house staff that developed programs. In 1983, the USFA was totally restaffed with 20 employees, primarily with fire service backgrounds, who act now as program managers of grants and contracts. Because of the staff's small size and excessive workload, the USFA has become limited in its ability to formulate any long range fire prevention and control strategies. Furthermore, the report found that many in the fire-related community felt that USFA has become primarily oriented towards fire suppression activities.

However, the original intent of the Federal Fire Prevention and Control Act was to create the USFA as an entity in the Federal Government, where the fire problem was to be viewed in its entirety so that priorities could be set for attacking the entire fire problem. As outlined in the Fire Act, major thrusts of the USFA included fire prevention activities and public education.

The Committee notes that in response to the weaknesses and recommendations previously set forth, the USFA has endeavored to improve its contract and grant activities during FY 1984. The USFA undertook new efforts to broaden participation in its programs. It has published requests for proposals in the Commerce Business Daily, drafted a new 5 year plan to identify program needs and directions, and has had several new competitive procurements for large programs. Additionally, its staff has attended training on project development and management. It has established new procedures and internal controls to insure compliance with regulations on procurements as well as a full year procurement plan which is regularly reviewed and updated. The Committee applauds these steps taken by the USFA. To ensure that these efforts continue, the Committee has recommended to one-year authorization rather

than the customary two-year bill to allow detailed oversight and monitoring of the fire programs.

The Committee believes that in spite of the serious management and procurement problems at the FEMA, USFA programs are too valuable to be reduced or terminated.

National Fire Academy [NFA]

COMMITTEE VIEW

In 1974, the National Fire Academy [NFA] was established to advance the professional development of professional and volunteer fire service personnel. Currently, the NFA's curriculum provides for training at four levels: Executive Fire Officer Program, Command and Staff Program, the Fire Service Technical Specialist Program, and the Train-the-Trainer Program. The NFA uses a field program to deliver fire-related courses at the state and local level.

The courses are short term, intensive training sessions, between 12 and 14 hours in duration. They are usually conducted on weekends to accommodate volunteers and paid firefighters who cannot attend weekday sessions. The NFA has a field course development process which includes: pilot testing the course, FEMA-sponsored and presented training, train-the-trainer activity at the NFA, and ultimately, acceptance of the course by the states for their use in their own training programs using the instructors previously trained at NFA. In fiscal year 1984, 242 field courses were presented by NFA and 8,545 students (5,230 career and 3,315 volunteers) were trained. Also during fiscal year 1984, the states and local authorities offered 1,139 separate courses to 26,787 trainees involving the course material previously transferred by NFA to the states.

During Fiscal Year 1984, 8,833 resident students attended 163 course offerings. In addition, 2,171 student applicants could not be accommodated. Some may have been accepted at a later date. Twenty-five percent of the fire service population who attended the on-campus program were from volunteer or combination paid/volunteer fire departments. When they attended the NFA, no one paid the volunteers' salaries; they used vacation time. They are from organizations that can least afford to pay travel costs. Although some fire departments can afford to pay for their members to travel to the NFA in Emmitsburg, Maryland, according to testimony received at our hearings, the majority of the career departments and most of the volunteer departments cannot. Yet these voluntary organizations are responsible for the protection of 80 percent of our country. In support of these programs, the Committee restored funds for the travel stipends which transport volunteers and career firefighters to the National Emergency Training Center [NETC] to obtain the expert training on fire safety.

Furthermore, the Committee requests, as a result of increasing enrollment levels, that FEMA investigate means for maintaining an adequate number of professional and support staff at the NFA and USFA. This is particularly crucial as FEMA seeks to establish a new NETC, to be located in the western U.S. While the Committee acknowledges the need for such a facility to reduce the overenrollment pressure on the Emmitsburg location, the Committee does

not intend that the new center draw financial or human resources from existing programs. Rather, the Committee views NETC-West as a true expansion of existing expertise and therefore, urges FEMA to reallocate its priorities from areas outside the fire program to accommodate this high priority.

Although recognizing both the limits of available funding and the importance of firefighters, the Committee believes that the NFA, as well as the USFA, should bring groups other than firefighters into the fire program. The Committee believes that architects, engineers, materials experts, burn specialists, social scientists, community-based organizations, insurance companies, and other groups can all contribute more to reducing fire losses than they do at the present. The Committee encourages the NFA and USFA to work with these groups.

In reevaluating its priorities, the Committee also urges FEMA, through the USFA and NFA, to develop a mechanism for evaluation of scientific and technical quality of training courses prior to the course's incorporation into the course schedule. Specifically, the Committee is concerned about reports that FEMA distributed a training course for field testing that contained serious technical inaccuracies. The already commercially marketed course, which was distributed over the objections of FEMA's advisory panel on radiological emergencies, was to be used to train firefighters on how to handle radiological emergencies. The Committee is concerned by these reports and wishes to avoid the harm that could be done by implementing any faulty procedures.

The Committee notes that several other Federal scientific agencies have established peer review panels made up of distinguished scientists, engineers and educators to ensure that their decisions reflect the best technical knowledge available. Institutions such as the National Academy of Sciences have further enhanced the scientific and educational integrity of government initiatives. The Committee urges FEMA to look at ways to ensure prior expert review of technical information and to report to the Committee regarding new procedures.

The Committee strongly endorses the NFA and the services it offers, believing that it is vital in providing the best training and dissemination of information to the fire-related community at-large. Therefore, the Committee supports a one-year reauthorization of USFA and NFA and does so at a funding level equal to the fiscal year 1985 appropriation.

Center for Fire Research

COMMITTEE VIEW

The Center for Fire Research [CFR], like the U.S. Fire Administration and the National Fire Academy, was created by the Federal Fire Prevention and Control Act. Since fiscal year 1983, the entire CFR program has been authorized separately in the National Bureau of Standards authorization bill. However, Committee views on the CFR are included in this report because the CFR provides vital scientific and technical data that is an integral part of the Federal fire prevention and control effort.

The Committee disagrees with the Administration's proposal to eliminate the CFR. For the third year in a row the Committee has received convincing testimony from a wide variety of witnesses that research currently performed by CFR could not be conducted by the private sector and/or state and local government.

CFR conducts the only comprehensive fire research program in the country. Its program is designed to provide the scientific basis for the prevention and control of all types of fires and for reducing the nation's fire losses and the cost of fire protection. It is directed especially toward reducing the problem of residential fires, which account for the majority of fire-related deaths and injuries in the United States.

In addition to the work carried out on site, the CFR through its grants program is the principal source of support for fundamental fire research throughout the United States. Each grant is awarded to further the work of CFR, particularly when in-house staff are not available. The grants program brings the talents of world-class researchers in many fields to focus of fire research. Since most of the grants are to universities, the program supports much of the advanced training in fire research that produces the next generation of fire researchers.

The Committee strongly recommends continuation of the CFR.

IV. SECTION-BY-SECTION ANALYSIS

Federal Fire Prevention and Control Act

A bill to authorize appropriations to carry out the Federal Fire Prevention and Control Act of 1974 for Fiacal Year 1986.

Section 1

Authorizes $22,953,000 for the fiscal year ending September 30, 1986 to the U.S. Fire Administration and National Fire Academy for fire prevention and control programs.

V. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

Federal Fire Prevention and Control Act of 1974

* * * * * * *

AUTHORIZATION OF APPROPRIATION

Sec. 17. (a) There are authorized to be appropriated to carry out the foregoing provisions of this Act, except as otherwise specifically provided, with respect to the payment of claims, under section 11 of this Act, an amount not to exceed $25,210,000 for the fiscal year ending September 30, 1980, which amount includes—

(1) $4,781,000 for programs which are recommended in the report submitted to the Congress by the Administrator pursuant to section 24(b)(1);

(2) $9,430,000 for the National Academy for Fire Prevention and Control;

(3) $307,000 for adjustments required by law in salaries, pay, retirement, and employee benefits;

(4) $500,000 for additional rural firefighting technical assistance and information activities;

(5) $500,000 for the study required by section 26 of this Act; and

(6) $110,000 for the study required by section 27 of this Act.

* * * * * * *

(f) Except as otherwise specifically provided with respect to the payment of claims under section 11 of this Act, to carry out the purposes of this Act, there is authorized to be appropriated $22,953,000 for the fiscal year ending September 30, 1986.

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VI. OVERSIGHT ACTIVITIES

Pursuant to Rule XI, Clause 2(l)(3)(A), and under the authority of Rule X, Clause 2(b)(1) and Clause 3(f), of the Rules of the House of Representatives, the following statement on oversight activities is made:

Committee oversight of the Federal Fire Prevention and Control Act has consisted primarily of hearings; inspections of the U.S. Fire Administration and National Fire Academy; staff attendance at USFA and NFA briefings and informal discussions between Committee Members, staff and representatives of the USFA and NFA; attendance at USFA and NFA sponsored activities and conferences.

Hearings

Testimony was given by federal representatives, top fire service leaders, fire protection engineers, community-based organizations, fire data specialists and members of the National Commission on Fire Prevention and Control at authorization hearings on March 21, 1985.

Other Related Hearings

FEMA oversight Hearings and Meetings—August 1, October 5, September 24, December 12, 1984 and March 5, 1985.

Field Briefings in Santa Fe, New Mexico on the training needs of New Mexico firefighters and emergency responders—July, 1984.

Inspection of USFA and NFA Facilities

In July and October 1984, members and/or staff of the Committee visited the fire prevention control facilities at Emmitsburg, Maryland for the purpose of program and facility familiarization.

Attendance of USFA and NFA Meetings

Members and staff of the Committee have met with USFA and NFA staff to receive various briefings on budget and program matters.

Report

The Committee requested a Congressional Research Service analysis of the USFA entitled, "Fire Prevention and Control: The Federal Role", March 1985.

Plans

During the coming year the Committee plans for oversight include extensive review of procurement procedures, selected programs and projects of the USFA and NFA.

VII. OVERSIGHT FINDINGS AND RECOMMENDATIONS BY THE COMMITTEE ON GOVERNMENT OPERATIONS

No statement of findings and recommendations on oversight activity pursuant to Rule X, clause 2(b)(2), and Rule XI, clause 2(l)(3)(D), of the Rules of the House of Representatives, have been submitted by the Committee on Government Operations for inclusion in this report.

VIII. COST ESTIMATE—CONGRESSIONAL BUDGET OFFICE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 14, 1985.

Hon. DON FUQUA,
Chairman, Committee on Science and Technology, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the attached cost estimate for S. 818, an act to authorize appropriations for activities under the Federal Fire Prevention and Control Act of 1974.

If you wish further details on this estimate, we will be pleased to provide them.

With best wishes,

Sincerely,

JAMES BLUM,
(For Rudolph G. Penner).

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: S. 818.

2. Bill title: An act to authorize appropriations for activities under the Federal Fire Prevention and Control Act of 1974.

3. Bill status: As ordered reported by the House Committee on Science and Technology, May 14, 1985.

4. Bill purpose: This bill extends the authorizations of the United States Fire Academy and the National Fire Academy through fiscal year 1986.

5. Estimated cost to the Federal Government:

[By fiscal years, in millions of dollars]

	1986	1987	1988	1989	1990
Authorization level	23.0				
Estimated outlays	10.1	7.3	3.9	1.7	

The costs of this bill fall within budget function 450.

Basis of estimate: For the purpose of this estimate, the authorized funds are assumed to be appropriated prior to the beginning of fiscal year 1986. Outlays were estimated according to historical spending patterns.

6. Estimated cost to State and local governments: None.

7. Estimate comparison: None.

8. Previous CBO estimate: On April 4, 1985, CBO prepared a cost estimate for S. 818, as ordered reported by the Senate Committee on Commerce, Science, and Transportation. The authorization level in this bill represents a $2 million increase relative to the Senate version, with a corresponding increase in estimated outlays.

9. Estimate prepared by: Paul M. DiNardo.

10. Estimate approved by: C.G. Nuckols, James L. Blum, Assistant Director for Budget Analysis.

IX. BUDGET ANALYSIS AND PROJECTION

S. 818 provides no new budget authority or tax expenditures. Consequently, the provisions of section 308(a) of the Congressional Budget Act are not applicable.

X. EFFECT OF ON LEGISLATION ON INFLATION

In accordance with rule XI, clause 2(l)(4) of the Rules of the House of Representatives, the following statement is made concerning the inflationary impact of S. 818.

S. 818 is assessed to have no inflationary effect on prices and costs in the operation of the national economy.

XI. COMMITTEE RECOMMENDATION

The bill was ordered reported on May 14, 1985, by a vote of 17 ayes and 6 nays.

XII. ADMINISTRATION VIEWS

FEDERAL EMERGENCY MANAGEMENT AGENCY,
Washington, DC, February 15, 1985.

Hon. THOMAS P. O'NEILL, Jr.,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Enclosed is proposed legislation "To authorize appropriations for activities under the Federal Fire Prevention and Control Act of 1974, and for other purposes."

The proposed legislation authorizes appropriations for fiscal year 1986 for the fire prevention and control activities authorized under the Federal Fire Prevention and Control Act carried out by the

Federal Emergency Management Agency's U.S. Fire Administration and the National Fire Academy. The amount requested is $19,322,000 which is the amount contained in the President's Budget. The legislation also authorizes appropriations for such sums as may be necessary for fiscal year 1987.

The Federal Fire Prevention and Control Act of 1974, as amended, has as its objectives the reduction of the nation's losses caused by fire through better fire prevention and control; the supplementing of existing programs of research, training and education; and the encouragement of new and improved fire prevention and control activities by State and local governments. The new appropriations authorized hereunder will provide for the continuation of programs now being carried out.

The Office of Management and Budget has advised that there is no objection from the standpoint of the Administration's program to the submission of this legislation to the Congress and that its enactment would be in accord with the program of the President.

Sincerely,

GEORGE JETT,
General Counsel.

Enclosure.

A BILL To authorize appropriations for activities under the Federal Fire Prevention and Control Act of 1974

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 17 of the Federal Fire Prevention and Control Act of 1974 as amended, is further amended by adding at the end thereof the following:

"(f) Except as otherwise specifically provided with respect to the payment of claims under section 11 of this Act, to carry out the purposes of this Act, there is authorized to be appropriated $19,322,000 for the fiscal year ending September 30, 1986. There are further authorized to be appropriated such sums as may be necessary for the fiscal year ending September 30, 1987."

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